

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

JANE DOE,

Plaintiff,

v.

CITY OF KENOSHA and JOSHUA T.  
SYLVESTER,

Defendants.

Case No. 23-CV-875-JPS

**ORDER**

On June 30, 2023, Plaintiff Jane Doe ("Plaintiff") sued Defendants City of Kenosha and Joshua T. Sylvester ("Sylvester") (collectively, "Defendants"), alleging that Sylvester, while on duty as a probationary police officer for the City of Kenosha, repeatedly sexually assaulted her in August 2022 while she was intoxicated and impaired in the emergency room. ECF No. 1.<sup>1</sup>

On October 6, 2023, in light of Plaintiff's failure to file proof of service on Defendants, the Court ordered Plaintiff to show cause within seven days of the entry of its order why this case should not be dismissed without prejudice. *See* October 6, 2023 text order ("No proof of service on Defendants . . . appears on the docket. 'If a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice against that defendant or order that service be made within a specified time.' Fed. R. Civ. P. 4(m).").

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<sup>1</sup>Plaintiff also simultaneously moved to proceed anonymously. ECF No. 2. The Court deferred addressing this motion pending Defendants' anticipated appearances.

To date, Plaintiff has failed to file proof of service or otherwise respond to the Court's show cause order in any fashion. "It is the responsibility of an attorney to manage his or her practice in a manner that permits compliance with the court's rules and orders," and attorneys who ignore their clients' cases do so at both their own and their clients' peril. *See in re Pritzker*, 762 F.2d 532, 533 (7th Cir. 1985) (citing *in the Matter of Harte*, 701 F.2d 62 (7th Cir. 1983)); *United States v. Gerrity*, 804 F.2d 1330, 1332 (7th Cir. 1986).

Serious cases such as this one deserve serious attention, and Plaintiff's counsel has apparently failed to devote to this case the attention it both merits and requires by failing to comply not only with this Court's order but also with the basic mandates of the Federal Rules of Civil Procedure. Accordingly, and true to its word, the Court will dismiss the case.

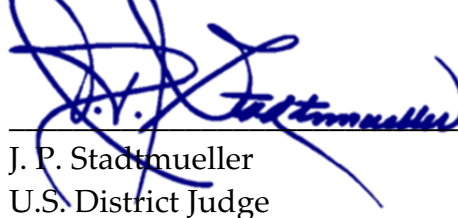
Accordingly,

**IT IS ORDERED** that this case be and the same is hereby **DISMISSED without prejudice** for failure to timely file proof of service and failure to comply with the Court's October 6, 2023 show cause order.

The Clerk of Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 24th day of October, 2023.

BY THE COURT:



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J. P. Stadtmueller  
U.S. District Judge